

REMARKS

Status of the Application

In the Non-Final Office Action dated September 7, 2007, Claims 1-10 were rejected. In the present response, Claim 1 has been amended to include an additional limitation and to direct the claim to a transfer member as opposed to a method. Dependent Claims 2, 3, and 5-10 have also been amended to reflect these amendments to Claim 1. Claim 4 has been cancelled. In addition, new Claims 11-20 have been added. Support for these amendments and new claims can be found at page 4, line 30 – page 5, line 29; page 6, line 17 – page 7, line 24; page 9, lines 15-21; page 10, line 20 – page 11, line 32; and page 14, lines 21-25. Thus, Claims 1-3 and 5-20 are pending. No new matter was added.

Rejections Under 35 U.S.C. § 112

Examiner has rejected Claims 1-10 under 35 U.S.C. § 112, 2nd paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as his invention. This rejection was specifically directed toward the original Claim 1 language reading “[a] method of transporting a device to prevent radiant thermal energy absorption by a surface,” which, according to Examiner, was unclear as to which surface was being described. Amended Claim 1 no longer contains this language. Further, newly added Claim 19 clearly identifies which surface is being described, stating that the method “prevents radiant thermal energy absorption by a surface *of said device*.” Thus, this rejection has been obviated by the present amendments, and Applicants therefore respectfully request that the rejection be withdrawn.

Examiner has further rejected Claim 10 under 35 U.S.C. § 112, 2nd paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as his invention due to the use of the word “preferably” in the original Claim 10 limitation reading “each layer of the composite body preferably ranges from about 0.02 mm to about 1.00 mm in thickness.” Claim 10 has been amended to remove the word “preferably,”

thereby obviating this rejection. Applicants therefore respectfully request that the rejection be withdrawn.

Rejections Under 35 U.S.C. § 102(b)

Examiner has rejected Claims 1-5 and 7 under 35 U.S.C. § 102(b) as being anticipated by Fischer et al. (U.S. Patent No. 4,759,964; hereinafter "Fischer"). Further, Examiner has rejected Claim 6 under 35 U.S.C. § 102(b) as being anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over Fischer. However, Applicants herein demonstrate that all claims of the present application, as amended, are novel in view of Fischer.

Examiner asserts that Fischer discloses a panel which possesses resin impregnated carbon fiber layers meeting the limitations of a) of Claim 1 of the present invention, metal foil layers meeting the limitations of b) of Claim 1 of the present invention, and resin impregnated fiber layers meeting the limitations of c) of Claim 1 of the present invention. Examiner further asserts that Fischer discloses transporting members as the reference describes airplane floor panels, and airplanes transport devices. However, while Applicants in no way admit that original Claims 1-10 were anticipated by Fischer, Claim 1, upon which all of the other rejected claims rely, has been amended to include an additional limitation which obviates this rejection.

As amended, Claim 1 of the present application includes an additional limitation that requires the transfer member to include "at least one electroconductive polymer part electrically connected to at least a part of one or more carbon fibers of said carbon-fiber reinforced composite material." This limitation is plainly not taught by Fischer as nowhere in Fischer is an electroconductive polymer part even mentioned. Thus, Fischer is not anticipatory of Claim 1 of the present application. As all other claims of the application are dependent upon, and narrower than Claim 1, all claims should be deemed novel in view of this reference. Applicants therefore respectfully request that these rejections be withdrawn.


Rejections Under 35 U.S.C. § 103(a)

Examiner has further rejected Claims 6 and 8-10 under 35 U.S.C. § 103(a) as obvious over Fischer. More specifically, Examiner has held that the additional limitations of Claims 6 and 8-10, while not specifically taught by Fischer, are obvious in view of that reference. However, as discussed above, amended Claim 1 of the present application contains an additional limitation which is not taught by Fischer. Further, because nothing in Fischer even suggests that this additional limitation would be advantageous or even possible, one skilled in the art would not have been motivated in any way by the disclosure of Fischer to arrive at the invention of Claim 1. Thus, Claim 1 should be deemed nonobvious in view of Fischer. As all other claims of the application are dependent upon, and narrower than Claim 1, all claims should be deemed nonobvious in view of this reference. Applicants therefore respectfully request that these rejections be withdrawn and all claims allowed.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants submit that this application is in condition for allowance. In order to expedite disposition of this case, Examiner is invited to contact Applicants' representative at the telephone number below to resolve any remaining issues. Should there be a fee due which is not accounted for, please charge such fee to Deposit Account No. 501447 (Potter Anderson & Corroon LLP).

By: _____


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